IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 6392 of 2004(J)

AGAINST THE ORDER IN DRC.560 IN TA.1050/1997 of DEBT RECOVERY TRIBUNAL, ERNAKULAM

.....

PETITIONER:

ANNA THOZIL SANGHA PERAVAI (ANNA PLANTATION WORKERS' UNION) HAVING ITS REG.HEAD OFFICE AT 275, AVVAI SHANMUGHAM SALAI,ROYAPETTA,CHENNAI-14, WITH ITS REGL. OFFICE AT OLD COURT ROAD, GUDALLUR, NILGIRIS, TAMIL NADU, REP.BY STATE SECRETARY SHRI. P.R.CHANDRAMOGAN, S/O.RAMACHANDRAN, RESIDING AT4/129, VOC NAGAR,HIGHER SECONDARY SCHOOL, GUDALLUR, NILGIRS, TAMIL NADU.

BY ADV. SRI.C.M.ANDREWS

RESPONDENTS:

*** 1. MAHAVIR PLANTATIONS LTD., XXIV/1551, INDIRA GANDHI RAOD, W.ISLAND, COCHIN-682 003, REPRESENTED BY ITS MANAGING DIRECTOR. (D E L E T E D)**

*** THE NAME OF THE 1ST RESPONDENT IS DELETED FROM THE PARTY ARRAY AS PER ORDER DTD. 9/08/04 IN I.A.8951/04.**

2. UNION BANK OF INDIA, MATTANCHERRY, COCHIN-2, REPRESENTED BY ITS BRANCH MANAGER.

3. THE RECOVERY OFFICER, DEBT RECOVERY TRIBUNAL, ERNAKULAM.

4. THE HON'BLE DEBTS RECOVERY TRIBUNAL (KERALA & LAKSHADWEEP), ERNAKULAM.

BY ADV. SRI.A.V.THOMAS for R2
SRI.MATHEW B. KURIAN
SRI.K.T.THOMAS
SRI.V.M.KURIAN
SMT.T.D.RAJALAKSHMI, SCGSC for R3 & R4

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC.NO.6392/2004 J

APPENDIX

PETITIONER'S EXHIBIT:

EXT.P1: COPY OF THE CLAIM PETITION DTD. 21/09/2003 FILED BY THE PETITIONER BEFORE THE 3RD RESPONDENT.

/TRUE COPY/

KSS

PIUS C. KURIAKOSE,J.

- -

W.P.(C) No.6392 of 2004

- -

Dated: 19th June, 2007

JUDGMENT

Heard both sides. Having regard to the submissions addressed at the bar, I am of the view that only relief which the petitioner can legitimately aspire for, is to have an early disposal of Ext.P1 claim petition. Accordingly, the Writ Petition will stand disposed of directing the third respondent-Recovery Officer to take up Ext.P1 (if the same is even now pending), hear the concerned parties and dispose of the same in accordance with law at his earliest and at any rate within four months of receiving copy of the judgment.

srd **PIUS C.KURIAKOSE, JUDGE**